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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/826,680

04/05/2001

Michael G. Coutts

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3504

26889

7590

07/28/2005

MICHAEL CHAN  
NCR CORPORATION  
1700 SOUTH PATTERSON BLVD  
DAYTON, OH 45479-0001

EXAMINER

LASTRA, DANIEL

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/826,680

Applicant(s)

COUTTS ET AL.

Examiner

DANIEL LASTRA

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 16-30 have been examined. Application 09/826,680 (SELF-SERVICE TERMINAL) has a filing date 04/05/2001 and foreign priority date 04/07/00.

#### ***Response to Amendment***

2. In response to Final Rejection filed 02/24/2005, the Applicant filed an RCE on 05/11/2005 and amended claims 16, 19, 20, 22 and 26-30.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Background of the Specification in view of Lawlor (US 5,870,724).

As per claim 16, Applicant's Background of the Specification teaches:

An automated teller machine (ATM) for dispensing cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM and for displaying advertisements for the ATM customer to view (see Applicant's Background page 1, lines 12-26), the ATM comprising:

a cash dispenser for dispensing cash to an ATM customer when the customer is conducting a cash dispense transaction at the ATM (see Applicant's Background page 1, lines 12-26);

an ATM display (see Applicant's Background page 1, lines 12-26);

means for accessing an advertisement database to retrieve an authorized advertisement associated with the ATM (see Applicant's Background page 1, lines 12-26); and

means for incorporating the retrieved advertisement in a screen for displaying on the ATM display to allow the ATM customer to view the screen (see Applicant's Background page 1, lines 12-26) but fails to teach while the ATM customer is conducting the cash dispense transaction at the ATM. However, Lawlor teaches a system that targets advertisements to users of an ATM terminal while the user is conducting a transaction at the ATM terminal (see Lawlor column 15, lines 54-67; column 30, line 56 – column 31, line 59; column 39, lines 45-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals. The standard ATM machines, taught by the Applicant's background of the Specification would use the Lawlor's system to identify customers of said ATM terminal and would use said identification to target advertisements to said customers, therefore, increasing the probability that said advertisements would reach their intended targets.

As per claim 17, Applicant's Background of the Specification teaches:

An ATM according to claim 16, but fails to teach wherein the means for incorporating the retrieved advertisement in a screen includes an ATM program for

Art Unit: 3622

executing a Web browser. However, Lawlor teaches a system that targets advertisements to ATM's customers using the Internet ATM network (see column 20, lines 52-67; column 31, lines 50-59). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers using an Internet Browser, as taught by Lowry. Executing an Internet browser in an ATM terminal would avoid the need to install proprietary software and would allow said ATM terminal to download data via the Internet.

As per claim 18 Applicant's Background of the Specification teaches:

An ATM according to claim 17, but fails to teach wherein the ATM program is operable to allocate screen space to the Web browser in accordance with predefined allocation times. However, Lawlor teaches a system that transmits timed advertisements to ATM terminals browser program (see column 31, lines 10-67; column 39, lines 45-51). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers by allocating space in an Internet Browser, as taught by Lowry. Executing an Internet browser in an ATM terminal would avoid the need to use proprietary software and would allow said ATM terminal to download data via the Internet.

As per claim 19, Applicant's Background of the Specification teaches:

A method of operating an automated teller machine (ATM) to dispense cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM and to display advertisements for the ATM customer to view (see Applicant's Background page 1, lines 12-26), the method comprising the steps of:

dispensing cash to the ATM customer when the ATM conducts a cash dispense transaction at the ATM (see Applicant's Background page 1, lines 12-26);

accessing a database of authorized advertisements (see Applicant's Background page 1, lines 12-26);

retrieving from the database an authorized advertisement associated with the ATM (see Applicant's Background page 1, lines 12-26); and

displaying the retrieved advertisement on a display of the ATM to allow the ATM customer to view the displayed advertisement (see Applicant's Background page 1, lines 12-26) but fails to teach while the ATM customer is conducting the cash dispense transaction at the ATM. However, Lawlor teaches a system that targets advertisements to users of an ATM terminal while the user is conducting a transaction at the ATM terminal (see Lawlor column 15, lines 54-67; column 30, line 56 – column 31, line 59; column 39, lines 45-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals. The standard ATM machines, taught by the Applicant's background of the Specification

Art Unit: 3622

would use the Lawlor's system to identify customers of said ATM terminal and would use said identification to target advertisements to said customers, therefore, increasing the probability that said advertisements would reach their intended targets.

As per claim 20, Applicant's Background of the Specification teaches:

A method of supplying an advertisement for displaying on a display of an automated teller machine (ATM) which can dispense cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM the method comprising the steps of accepting via a network an identification signal from an ATM located on the network (see Applicant's Background page 1, lines 12-26),

accessing an advertisement database to retrieve an authorized advertisement associated with that ATM (see Applicant's Background page 1, lines 12-26); and

transmitting the retrieved advertisement to the ATM for displaying on the display at that ATM to allow the ATM customer to view the displayed advertisement (see Applicant's Background page 1, lines 12-26) but fails to teach while the ATM customer is conducting the cash dispense transaction at the ATM. However, Lawlor teaches a system that targets advertisements to users of an ATM terminal while the user is conducting a transaction at the ATM terminal (see Lawlor column 15, lines 54-67; column 30, line 56 – column 31, line 59; column 39, lines 45-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in

Art Unit: 3622

said ATM terminals. The standard ATM machines, taught by the Applicant's background of the Specification would use the Lawlor's system to identify customers of said ATM terminal and would use said identification to target advertisements to said customers, therefore, increasing the probability that said advertisements would reach their intended targets.

As per claim 21, Applicant's Background of the Specification teaches:

A method according to claim 20, but fails to teach further comprising the steps of:

logging the number of times the advertisement database has been accessed by each ATM and applying a charge to each advertisement based on the number of accesses. However, Lawlor teaches a system that targets advertisements to customers of an ATM terminal and charges advertisers for each advertisement actually distributed (see column 22, line 62 – column 23, line 10). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals and said system would charge advertisers for each advertisement actually delivered to said customers. This feature of charging advertisers for displaying their advertisements in an ATM terminal would allow ATM owners to offset the cost of owning said ATM terminal.

As per claim 22, Applicant's Background of the Specification teaches:

A system comprising:



an automated teller machine (ATM) which can dispense cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM (see Applicant's Background page 1, lines 12-26);

an advertisement database for storing authorized advertisements (see Applicant's Background page 1, lines 12-26); and

a server interconnected to the ATM and for accessing the advertisement database in response to a request from the ATM, to retrieve an advertisement associated with the ATM, and to transmit the retrieved advertisement to the ATM for displaying on a display of the ATM to allow the ATM customer to view the displayed advertisement (see Applicant's Background page 1, lines 12-26) but fails to teach while the ATM customer is conducting the cash dispense transaction at the ATM. However, Lawlor teaches a system that target advertisements to users that are using an ATM terminal while the user is conducting a transaction at the ATM terminal (see Lawlor column 15, lines 54-67; column 30, line 56 – column 31, line 59; column 39, lines 45-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals. The standard ATM machines, taught by the Applicant's background of the Specification would use the Lawlor's system to identify customers of said ATM terminals and would use said identification to target

advertisements to said customers, therefore, increasing the probability that said advertisements would reach their intended targets.

As per claim 23, Applicant's Background of the Specification teaches:

The system of claim 22, but fails to teach wherein the configuration of the system is such that an authorized user is allowed to update the stored advertisements. However, Lawlor teaches a system that target advertisements to customers of ATM machines and where said system allows advertisers to indicate display parameters for displaying said advertisements to customers (see column 31, lines 25-40; column 22, line 60 – column 23, line 10). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals. The Lawlor's system would allow advertisers to input display parameters that would be used for targeting advertisements to customers.

As per claim 24, Applicant's Background of the Specification teaches:

A system according to claim 22, but fails to teach wherein the server is configured to allow a user to enter descriptive fields relating to an advertisement. However, Lawlor teaches a system that target advertisements to customers of ATM machines and where said system allows advertisers to input a display criteria use to target said advertisements to customers (see column 31, lines 25-40; column 22, line 60 – column 23, line 10). Therefore, it would have been obvious to a person of ordinary

Art Unit: 3622

skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals and said system would allow advertisers to input a display criteria to target said advertisements to customers.

As per claim 25, Applicant's Background of the Specification teaches:

A system according to claim 22, but fails to teach further comprising a screening system for screening each advertisement to determine if the information fulfills an acceptance criterion. However, Lawlor teaches in column 31, lines 10-67 that it is inherent to screen the advertisements presented to users of ATM terminals. Financial institutions that own the ATM terminals would do their best to avoid the transmission of offensive or derogatory advertisements or messages to clients that are using their ATM terminals. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of ATM machine would screen each advertisement to determine if the advertisement fulfills an acceptance criterion, therefore, avoiding the transmission of offensive or derogatory messages to customers.

As per claim 26, Applicant's Background of the Specification teaches:

An automated teller machine (ATM) for dispensing cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM and for

Art Unit: 3622

displaying advertisements for the ATM customer to view (see Applicant's Background page 1, lines 12-26), the ATM comprising:

means for connecting to a first server to authorize the cash dispense transaction (see Applicant's Background page 1, lines 12-26);

means for connecting to a second server to retrieve an authorized advertisement associated with the ATM (see Applicant's Background page 1, lines 12-26); and

means for displaying the authorized advertisement to an ATM customer conducting the cash dispense transaction at the ATM to allow the ATM customer to view the displayed advertisement (see Applicant's Background page 1, lines 12-26) but fails to teach while the ATM customer is conducting the cash dispense transaction at the ATM. However, Lawlor teaches a system that target advertisements to users that are using an ATM terminal while the user is conducting a transaction at the ATM terminal (see Lawlor column 15, lines 54-67; column 30, line 56 – column 31, line 59; column 39, lines 45-48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals. The standard ATM machines, taught by the Applicant's background of the Specification would use the Lawlor's system to identify customers of said ATM terminal and would use said identification to target advertisements to said customers, therefore, increasing the probability that said advertisements would reach their intended targets.

As per claim 27, Applicant's Background of the Specification teaches:

A method of offsetting the cost of owning an automated teller machine (ATM) which can dispense cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM (see Applicant's Background page 1, lines 12-26), the method comprising the steps of:

providing a database for storing advertisements (see Applicant's Background page 1, lines 12-26) but fails to teach allowing an authorized ATM customer to access the database and to transmit an advertisement to the database for storing therein and screening the transmitted advertisement to ensure that it meets an acceptance criterion and storing the screened advertisement in a database entry associated with the ATM and charging a fee to the ATM customer each time the advertisement is accessed by the ATM. However, Lawlor teaches that it is inherent to screen the advertisements presented to users of ATM terminals. Financial institutions that own the ATM terminals would do their best to avoid the transmission of offensive or derogatory advertisements or messages to clients that are using their ATM terminals. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of ATM machine would screen each advertisement to determine if the advertisement fulfills an acceptance criterion, therefore, avoiding the transmission of offensive or derogatory messages to customers.

As per claim 28, Applicant's Background of the Specification teaches:

A network comprising:

a plurality of automated teller machines (ATM) in which each ATM can dispense cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM each ATM including means for requesting an authorized advertisement from the database and a database of authorized advertisements (see Applicant's Background page 1, lines 12-26) but fails to teach each advertisement having an associated display criteria; a server interconnected to the plurality of the ATMs, the server including means for matching an authorized advertisement with each ATM based on the display criteria. However, Lawlor teaches that advertisers indicate the target display criteria for displaying advertisements to customers (see Lawlor column 31, lines 25-35). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that owners of standard ATM terminals located in an ATM host location (e.g. local bank branch) would use the Lawlor's system to target advertisements to ATM customers while said customers conduct financial transactions (i.e. dispensing cash) in said ATM terminals and said system would allow advertisers to input display criteria to target said advertisements to customers.

As per claim 29, Applicant's Background of the Specification teaches:

A method of leasing advertising space on one or more automated teller machines (ATMs) in a network of ATMs *which can dispense cash in the form of paper money* (see Applicant's Background page 1, lines 12-26):

providing a database for storing authorized advertisements (see Applicant's Background page 1, lines 12-26) but fails to teach allowing a third party to access the

database and to transmit an advertisement thereto; screening the transmitted advertisement; in the event of the screened advertisement meeting an acceptance criterion, storing the transmitted advertisement; associating display criteria with the stored advertisement; transmitting the stored advertisement to any request from an ATM fulfilling the display criteria and applying a charge to an account associated with the third party. However, the same argument made in claim 27 is made in claim 29.

As per claim 30, Applicant's Background of the Specification teaches:

An advertisement brokerage system, the system comprising:

a network of automated teller machines (ATMs) in which each ATM can dispense cash *in the form of paper money* to an ATM customer conducting a cash dispense transaction at the ATM (see Applicant's Background page 1, lines 12-26)

means for receiving and storing advertisement data (see Applicant's Background page 1, lines 12-26); but fails to teach means for screening the advertisement data; means for applying display criteria to the advertisement data; and means for transmitting the advertisement data to one or more ATMs in accordance with the display criteria. However, the same argument made in claim 27 is made in claim 30.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 16-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.

Art Unit: 3622

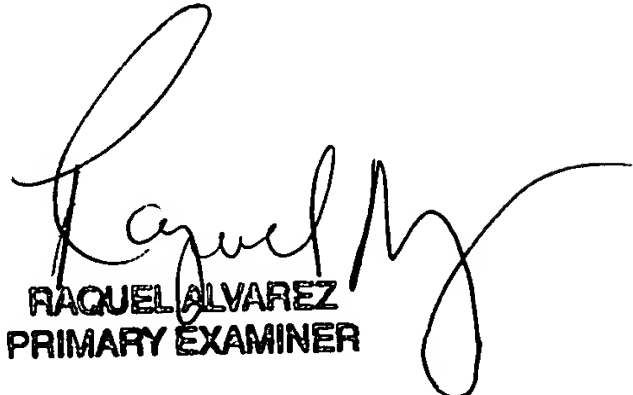
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The Examiner's Right fax number is 571-273-6720.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra

June 29, 2005

  
RAQUEL ALVAREZ  
PRIMARY EXAMINER